

RESOLUTION NO. 2020-40

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONFIRMING A DECLARATION OF A STATE OF EMERGENCY DUE TO NOVEL CORONAVIRUS/COVID-19; RATIFYING AND APPROVING ALL EMERGENCY ORDERS AND ACTIONS ISSUED BY THE VILLAGE MANAGER CONCERNING OR RELATED TO COVID-19; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Novel Coronavirus Disease 2019 (“COVID-19”) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents symptoms similar to those of influenza; and

WHEREAS, COVID-19 poses a public health risk to residents of the Village of Key Biscayne (the “Village”), particularly elderly residents; and

WHEREAS, on March 1, 2020, Florida Governor Ron DeSantis issued Executive Order No. 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 9, 2020, a State of Emergency was declared by Florida Governor Ron DeSantis and by Miami-Dade County Mayor Carlos Gimenez on March 12, 2020; and

WHEREAS, on March 13, 2020, the Village Manager issued a Declaration of State of Emergency concerning COVID-19 (the “Declaration”); and

WHEREAS, subsequent to issuing the Declaration, the Village Manager issued various emergency orders in order to mitigate and slow the transmission of COVID-19 within the Village; and

WHEREAS, the Village Council wishes to ratify the Declaration, any emergency orders issued, and actions taken by the Village Manager to protect the public from COVID-19; and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That the above recitals are true and correct and incorporated herein by this reference.

Section 2. Confirming Declaration of State of Emergency. That, in accordance with Section 9-5 of the Village Code, the Village Council hereby confirms the Declaration and related expenditures as further provided in the Village Manager's staff report supporting this Resolution. The state of emergency shall continue in effect from day to day until declared to be terminated by the Village Manager or Village Council, in accordance with Section 9-6 of the Village Code.

Section 3. Ratification. That the Village Council hereby ratifies and approves any action or emergency order issued by the Village Manager to protect the public from COVID-19.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 9th day of June, 2020.

ATTEST:


PETER J. KULPA
INTERIM VILLAGE CLERK


MICHAEL W. DAVEY, MAYOR



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to read "Carl Serota", is positioned above a horizontal line.

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY